

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARREL C. OLDS,

Petitioner,

V.

JEFF UTTECHT

Respondent.

Case No. C11-5046BHS

ORDER REFERING CASE TO
MAGISTRATE JUDGE FOR
FURTHER CONSIDERATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 20), and Petitioner’s motion to supplement brief and add grounds regarding his petition for habeas corpus (Dkt. 21).

Petitioner’s motion to supplement was received on April 11, 2011, but it was not filed until April 13, 2011. *See* Dkt. 21 (noting electronic filing date). The R&R was filed one day earlier on April 12, 2011. Dkt. 20. Thus, Magistrate Judge Creatura entered the R&R without the benefit of Petitioner’s motion to supplement.

Therefore, it is hereby **ORDERED** that this matter and its pending motions are **REREFERRED** to the magistrate judge for the issuance of a revised R&R that considers the matters raised in Petitioner's motion to supplement (Dkt. 21) and objections to the R&R (Dkt. 23).

DATED this 12th day of May, 2011.



BENJAMIN H. SETTLE
United States District Judge

ORDER